

Appl. No. : 08/779,767
Filed : January 7, 1997

REMARKS

Claims 4-6, 8, 9, 11-21, 24-27 and 29-73 were pending in the application. By the instant response claims 8 and 71 have been canceled while claims 4, 5, 9, 24, 25, 29, 68, 69 and 72 have been amended. No new claims have been added. Accordingly, claims 4-6, 9, 11-21, 24-27, 29-70 and 72 are presented for examination.

Entry of the foregoing amendments and reconsideration of the pending claims is respectfully requested. By this Amendment, Applicants have amended selected claims to further clarify the scope of the invention and address concerns raised by the Examiner. Specifically, Applicants have amended appropriate claims to clarify that the analog incorporated in the claimed compositions is a peptide analog of a peptide agonist capable of activating a T cell response. Similarly, claims 9, 29 and 72 have been amended to recite that the claimed compositions comprise a fusion protein rather than a chimeric antibody as previously set forth. In view of these amendments, and those submitted with Applicant's response of June 1, 1998, it is believed that the claims are in condition for allowance. Notice to that effect is respectfully requested.

I. Examiner Consultation:

Initially, Applicants wish to thank Examiner Reeves for clarifying her position regarding the pending claims and providing an opportunity to discuss various amendments in a telephone call to Applicants' representative on July 29, 1998. By the instant Amendment, Applicants have tried to incorporate the suggestions of the Examiner and place the claims in better condition for allowance. The efforts of the Examiner with respect to identifying claim language that reflects the full scope of the invention is particularly appreciated.

II. Current Amendments:

As set forth above, Applicants have amended the claims to clarify the scope the recited subject matter. In this regard, the claims have been amended to specify that the incorporated T cell receptor antagonist comprises a peptide analog of a T cell receptor agonist. Support for the

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use of peptide analogs of this type may be found throughout the specification and examples as filed. More specifically, direct support for these amendments may be found at pages 19 and 20 wherein peptide analogs are discussed and in examples 1 and 2. Similarly, the term "fusion protein" finds direct support at page 21, line 26 and in examples 8 to 12 wherein the various constructs may properly be termed fusion proteins. Applicants have further amended other selected claims to clarify language inconsistencies and avoid potential §112 issues as well as canceling claims 8 and 71.

III. Conclusion:

In view of the present amendments and associated remarks, reconsideration and allowance of all the pending claims is respectfully requested. Please continue to send all correspondence to Knobbe, Martens, Olson & Bear at the address of record. However, the Examiner is invited to telephone the undersigned attorney at the number below if it is believed that this will expedite prosecution of the present application.

Respectfully submitted,

Dated: 8/3/98

By: 
 Christopher A. Dayton
 Registration No. 35,114
 Attorney of Record
 (619) 558-5174